

### **Remarks**

Entry of this Preliminary Amendment prior to examination is respectfully requested. Upon entry of this Amendment, new claims 56-88 will be pending. Claim 1 has been cancelled. No new matter has been added to the application.

On August 17, 2001, a restriction requirement was issued for application serial number 09/704,966, now U.S. Patent No. 6,448,407, to which the present application claims the benefit of priority under 35 U.S.C. 120. In the restriction requirement, the Examiner divided the claims into XVIII groups. Groups I and II drawn to chemical compounds and kits containing the chemical compounds, and energy transfer dyes and kits containing the energy transfer dyes. Groups III-XVIII drawn to various methods for using the chemical compounds and energy transfer dyes of Groups I and II. Specifically, Groups III, VII, IX, XI, XIII, XV and XVII were all drawn to various methods for the use of the chemical compounds of Group I.

Present claims 56-88 are consonant with the claims of Groups III, V, VI, VII, IX, XI, XIII, XV and XVII as defined in the August 17, 2001 restriction requirement of 09/704,966. Support for the claims can be found in the original disclosure and in the claims as originally filed in the 09/704,966 parent application.

The applicants submit that the application is in condition for allowance. Early notice of allowance is respectfully requested.

### **FEE AUTHORIZATION and REQUEST FOR TIME EXTENSION**

If any additional time extensions are required, such time extensions are hereby requested. If any additional fees not submitted with this response are required, please take such fees from Applied Biosystems Deposit Account No. 01-2213 (Order No. 4601D2).

Respectfully submitted,

Date: 07/19/04

A handwritten signature in black ink, appearing to read 'Vincent P. Liptak', written over a horizontal line.

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